

Plan and Design Review Minutes March 4, 2014

**Minutes of Combined Meeting of
Mashpee Design Review Committee and
Mashpee Plan Review Committee
Held Tuesday, March 4, 2014
Mashpee Town Hall Waquoit Meeting Room**

Design Review Members Present: Joseph Cummings, Jonathan Furbush, and Mary LeBlanc.

Plan Review Members Present:

Charlie Maintanis, Local Inspector
Scott Carline, Police Department
Tom Fudala, Town Planner
Joel Clifford, Fire Inspector
Glen Harrington, Health Agent
Joyce Mason, Town Manager
Catherine Laurent, DPW Director

Audience: Geoff Spillane – Mashpee Enterprise
Carol Sherman – Board of Selectmen

Charlie Maintanis called the meeting to order at 9:01 a.m.

9 Shellback Way
Map 81 Parcel 132
Restaurant/Golf/Outside seating
Representative – Tom Hughes, Quahog Republic

Tom Hughes and Erik Bevens attended this informal discussion. Tom Hughes said he is a resident of Mashpee and they are looking to bring a family restaurant and miniature golf course to Mashpee at this site. Erik Bevens explained what they are proposing to do on the property. Due to costs, they need additional retail spaces to lease out. He said they've only done a small amount of research. They showed a rudimentary plan they had done to take to the miniature golf people and explained the layout. They said this first drawing layout was shown to the golf people to see whether they could fit an 18-hole miniature course on the property. He said this is not at all how it would be laid out.

Quahog Republic was in Bourne 14 years. They had a flowing lawn to be enjoyed with the children. It was a safe community environment. They are looking for feedback to see if that is something they can do on this site. They posed a number of questions, such as:

- How much building would be allowed?
- How much development can happen with "x" amount of buildings and "x" amount of parking?
- If 2,000 square foot restaurant or 1,000 square foot restaurant and 1,000 square foot deck, how does that fit into seating capacity?
- How would square footage apply to Cape Cod Commission requirements?
- If common area had picnic tables, would that be considered part of the building footage?

- 18-hole miniature golf course...would that be considered building or landscaping?

9 Shellback Way (continued)

Tom Fudala said one acre of outside commercial space might have to go to Cape Cod Commission. Tom suggested they talk to Cape Cod Commission. Tom said he does not think the one acre outside includes the parking lot.

Tom said the parking should not be seen from Route 28.

Jonathan Furbush advised they should be mindful of required buffers and setbacks—particularly at Route 28. Tom Fudala said at Route 28 there is a 75 foot setback and 50 foot undisturbed buffer required.

Jonathan said building lot coverage is to be 20% of the lot size. Jonathan said raised deck counts as building lot coverage; patio does not.

Mary LeBlanc suggested they speak with Drew McManus in Conservation regarding any overlays on that particular Plan.

Erik Bevens said they have an easement over Rockland Trust driveway. Tom Fudala said there is a stormwater drainage swirl on the property. Erik said the property abuts Credit Union property and is in C-1 Zone.

Erik said they are interested in putting sprinklers in the restaurant. He asked whether additional leased spaces needed sprinklers. Joel Clifford responded “no”, as long as exterior material is non-combustible.

Erik Bevens asked whether there were any restrictions to having the restaurant sitting on a small water pond. Tom Fudala said they will have to drill their own well. He suggested they check with Andy Marks at the Water District.

Erik asked about parking requirements for restaurant/miniature golf. Tom said parking for restaurant is 1 per 2 seats or 12 per 1,000 square feet of gross leasable area, whichever is greater. Tom said the Institute of Transportation Engineers would probably have guidance re parking for miniature golf course. Jonathan commented that once you determine principal use, that's the key.

Erik Bevens asked whether fire pits are allowable in the Town. Joel Clifford responded that open fire allowed only January to May 1. Open fire not allowed after those dates but if you get device that is contained or can contain the fire and is used in accordance with the manufacturer's recommendations that is allowed. However, it has to be 75 feet away from any structure.

Joel said if they use gas fire, again it must be used in accordance with manufacturer's recommendations. Propane, same way.

Erik asked whether alcohol allowed on the golf course. Joyce Mason said that would probably be prohibited because area mixed with children.

Erik said they also envision light entertainment...and asked how does that work. He said they are conscientious of neighbors. Joyce said Board of Selectmen is the awarding authority and would probably end up with a curfew and need to keep low key.

9 Shellback Way (continued)

Erik said they would like to offer the tenants of the retail spaces a common area that would abut the restaurant area so the entertainment would be for them also. He said can the common area be included in the serving area? Joyce said probably not since serving area has to be confined.

Jonathan advised them to be aware of signage allowed under Town By-Laws. Tom Fudala explained they are allowed 10% of front for total amount on the building and only 5% on any particular wall. Tenants are included in that percentage.

Erik asked whether there are any special conditions, like insurance. Charlie Maintanis said depending on use for those retail spaces it may require public restrooms so Charlie suggested they may want to consider building to the strictest requirement up front.

Charlie said they are in the buffer with the way parking is shown on the layout. He said maybe design could be flipped the other way.

Erik asked if bathroom installed in common area would that cover small retail space. Charlie said if bathroom is inside. Charlie explained that the common restroom and path to restroom would need to be covered and be a conditioned space. Charlie suggested they check with the plumbing inspector to verify.

Glen Harrington asked whether they spoke with an engineer regarding septic system they would need. They said they did briefly and engineer felt confident it would work.

Glen said if the individual retail stores have food then they have to be plumbed separately—one for gray water line and one for toilet water. A separate grease trap is required. Glen said restaurants are based on seating. Restaurants are 1,000 gallons per day for whole system. If dishware used, it's 35 gallons a day per seat; paper is 20 gallons a day per seat. Deck seating would be included, so you have to include all the deck seats. Glen said that can be considerable for area needed for leaching. For the bar, 20 gallons a day per lounge seat; 35 gallons a day per lounge seat for plate ware; and 20 gallons a day per lounge seat if doing paper.

Glen noted that 250 gallons per day for all 5 stores if doing non-food commercial retail.

Glen said once over 600 gallons/day it is to be a denitrification system and then you don't have to build out both primary and reserve area. Glen recommended over sizing the system because in the summertime they don't want to have issue with their septic at that point.

Erik brought up perhaps having canopied area on the lawn. Charlie Maintanis said temporary structure permitted for only 180 days and materials to be used must be UL listed. Charlie said there are wind loads and snow loads to be met. He said even if temporary the structure has to meet all building code requirements.

Joel Clifford asked them to request the engineer draw the preliminary drawing of the Site Plan at a 1 to 20 scale. Joel said the Fire Department will look at how they will access from the Site Plan and will offer suggestions.

Mary LeBlanc said in preparing the Site Plan to look at grading; exits; landscaping plan; parking; architectural plan.
9 Shellback Way (continued)

Glen asked whether they're thinking of adding a splash pool. They responded "no"...there will be no bathing, wading or playing in water. The insurance would be too high.

Erik then asked about additional kiosks in the common area. Charlie said the vendor needs a permit. Glen said if food, then they need Board of Health permit if a separate vendor other than one of the retailers already on the property.

Erik asked whether the hydrant on 28 would serve the site. Joel said he would need the Site Plan to be able to address that.

Erik Bevens and Tom Hughes thanked the Board and took each committee member's business card. Jonathan pointed out to Erik and to Tom Hughes that all the information is available in the Town By-Laws.

99 Restaurant, 8 Ryan's Way

Slight change to the exterior of the building and interior renovations

Will address some signage issues

Representative – Raymond Day, Project Manager

Tom Wilburn and Raymond Day appeared. Tom Wilburn said 99 Restaurant started in 1992 and now have 105 restaurants in Massachusetts and New York. Mashpee was the first on Cape. He said in 2007 they did a remodel and painted outside in standard 99 colors. He said they do remodel every 5 years. Now they're going back to lighter colors, rather than the bright colors used in 2007. They are addressing exterior changes at this meeting and will be returning to address interior changes at another future meeting.

No signage change...biggest change will be on the clapboard. They showed Plan and explained the "brick look" at

the four corners and the wall sconces on the 2 corners in the front. They showed new awning with same colors on building now.

In front, changing wording "great food and drink" to "restaurant & pub".

Mr. Wilburn said there are no landscaping changes except they want to take large shrubs out and replace with lower ones. The large ones grew too large and reach the window. Mary LeBlanc said as long as you're swapping large for small we don't need a landscape plan.

Tom Fudala mentioned the lit sign on their building is illegal.

Motion: Jonathan Furbush motioned the Plan submitted by Moeser & Associates for proposed alterations for 8 Ryan's Way, Mashpee, MA, 02-04-14 By TD, ACP-1, 99 Restaurant & Pub, be approved by Design Review for outside changes to the building and the changing of shrubs. Joe Cummings seconded this motion; and it was unanimously approved by Design Review Committee Members.

Approval of Minutes

Plan Review: Joyce Mason motioned to approve the minutes of the Design Review and Plan Review combined meeting of February 4, 2014; Tom Fudala seconded the motion; and it was approved by Plan Review members present.

Design Review: Joseph Cummings approved the minutes of the Design Review and Plan Review combined meeting of February 4, 2014 on behalf of Design Review.

Jonathan Furbush motioned to approve the minutes of the Design Review and Plan Review combined meeting of December 3, 2013; Joseph Cummings seconded the motion; and it was unanimously approved by Design Review members.

Adjournment... This joint meeting of Design Review and Plan Review adjourned at 10:10 a.m.

Respectfully submitted

Jean Giliberti
Recording Secretary